

Message Text

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PAGE 01 MOSCOW 11828 271609Z

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FOR SCI AND EUR/SES

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TAGS: TECH, EIND, UR, US

SUBJECT: US-USSR S AND T AGREEMENT: PATENT MANAGEMENT AND
LICENSING

REF: MOSCOW 11793

1. THERE FOLLOWS AN INFORMAL TRANSLATION OF SOVIET DRAFT
"TERMS OF REFERENCE" FOR FORMATION OF JOINT US-USSR WORKING
GROUP UNDER THE S AND T AGREEMENT WHICH WILL BE PRESENTED
DURING FORTHCOMING VISIT OF THE SOVIET MANAGEMENT AND
LICENSING DELEGATION.

BEGIN TEXT:

1. IN ACCORDANCE WITH THE AGREEMENT ON COOPERATION IN THE
FIELDS OF SCIENCE AND TECHNOLOGY BETWEEN THE UNITED STATES
OF AMERICAN AND THE UNION OF SOVIET SOCIALIST REPUBLICS,
SIGNED MAY 24, 1973, A JOINT US-USSR WORKING GROUP ON PATENT
AND LICENSING QUESTIONS IS ESTABLISHED WITHIN THE FRAMEWORK
OF THE JOINT US-USSR COMMISSION ON SCIENTIFIC-TECHNICAL
COOPERATION.

2. THE WORKING GROUP WILL FUNCTION PERMANENTLY DURING THE
ENTIRE OF VALIDITY OF THE ABOVE-MENTIONED AGREEMENT.

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 MOSCOW 11828 271609Z

3. IN REGARD TO QUESTIONS RELATING TO INDUSTRIAL PROPERTY

(SUCH AS INVENTIONS, INDUSTRIAL MODELS, TRADE MARKS, KNOW-HOW) AND ALSO TO CORRESPONDING LICENSES, THE JOINT WORKING GROUP WILL:

- A) PROPOSE DRAFTS OF INTERNATIONAL AGREEMENTS;
- B) FACILITATE THE CONCLUDING OF AGREEMENTS BETWEEN GOVERNMENTAL ORGANS ENGAGED IN THE PROTECTION OF INDUSTRIAL PROPERTY;
- C) MAKE PROPOSALS AND RECOMMENDATIONS IN THE FIELD OF INDUSTRIAL PROPERTY;
- D) MAKE PROPOSALS AND RECOMMENDATIONS ON QUESTIONS REGARDING INDUSTRIAL PROPERTY WHICH MAY ARISE DURING THE COURSE OF JOINT SCIENTIFIC RESEARCH WORK, SUCH AS THE USE OF INDUSTRIAL PROPERTY AND THE EXPORT OF PRODUCTS, AND REGARDING QUESTIONS ON LICENSING AND OTHER ANALOGOUS QUESTIONS, ARISING DURING THE COURSE OF ECONOMIC AND SCIENTIFIC-TECHNICAL COOPERATION;
- E) RENDER ASSISTANCE AND CONSULTATION, AS NECESSARY, TO OTHER JOINT WORKING GROUPS ESTABLISHED UNDER THE ABOVE-MENTIONED AGREEMENT, IN RESOLVING OF PROBLEMS RELATING TO INDUSTRIAL PROPERTY AND TO RELATED LICENSES;
- F) CONSIDER ANY QUESTIONS IN THE FIELD OF INDUSTRIAL PROPERTY WHICH WILL BE PRESENTED BY OTHER JOINT WORKING GROUPS.

4. THE GROUP MAY, AT THE REQUEST OF BOTH INTERESTED SIDES, ASSIST IN THE SOLUTION OF DISPUTES IN THE FIELD OF INDUSTRIAL PROPERTY AND RELATED LICENSES, ARISING DURING THE COURSE OF THE EXISTING AGREEMENT.

5. THE GROUP WILL CONSIST OF US AND SOVIET PARTS. THE COMPOSITION OF THE GROUP WILL BE ESTABLISHED ON AN EQUAL BASIS. EACH SIDE MAY ENLIST THE SERVICES OF ADVISORS AND EXPERTS FOR PARTICIPATION IN THE WORK OF THE GROUP.

6. THE GROUP WILL CONDUCT SESSIONS NOT LESS THAN ONCE A YEAR, IN THE USSR AND THE US ALTERNATELY.

7. THE CHAIRMEN OF THE US AND SOVIET SIDES WILL AGREE UPON THE AGENDA OF THE SESSION, AS A RULE, ONE MONTH BEFORE THE START OF THE SESSION.

8. THE HOSTING SIDE WILL PROVIDE FOR THE FUNCTIONS OF A
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UNCLASSIFIED

PAGE 03 MOSCOW 11828 271609Z

SECRETARIAT DURING THE SESSION.

9. THE RESULTS OF THE WORK OF EACH SESSION WILL BE FORMALIZED BY A PROTOCOL, WHICH WILL BE SIGNED BY THE CHAIRMEN OF BOTH SIDES. THE PROTOCOL WILL CONSIST OF TWO EDITIONS, IN THE ENGLISH AND RUSSIAN LANGUAGES, BOTH TEXTS BEING EQUALLY VALID.

10. THE GROUP WILL REPORT ON ITS WORK BEFORE THE JOINT (S&T)

COMMISSION. THE GROUP WILL INFORM OTHER WORKING GROUPS OF
ITS WORK IN ORDER THAT THEY MAY USE THE RESULTS OF THIS WORK
IN THEIR ACTIVITIES.
END TEXT.

2. RUSSIAN LANGUAGE TEXT OF DRAFT PROTOCOL BEING POUCHED
TO DR. WALD, SCI. POUCH REGISTRY NUMBER 956901.
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